



IF

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of .

Tsuyoshi KANEKO

Group Art Unit: 2839

Application No.: 10/670,559

Examiner: J. Nasri

Filed: September 26, 2003

Docket No.: 116945

For: OPTICAL WAVEGUIDE AND METHOD OF MANUFACTURING THE SAME,  
CIRCUIT BOARD, OPTICAL MODULE, AND OPTICAL TRANSFER APPARATUS

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the August 10, 2004 Restriction Requirement, Applicant provisionally  
elects Group I, claims 1-15, with traverse.

It is also respectfully submitted that the subject matter of all claims 1-30 is sufficiently  
related that a thorough search for the subject matter of any one Group of claims would  
encompass a search for the subject matter of the remaining claims. Thus, it is respectfully  
submitted that the search and examination of the entire application could be made without  
serious burden. See MPEP §803 in which it is stated that "if the search and examination of an  
entire application can be made without serious burden, the examiner must examine it on the  
merits, even though it includes claims to independent or distinct inventions" (emphasis  
added). It is respectfully submitted that this policy should apply in the present application in  
order to avoid unnecessary delay and expense to Applicant and duplicative examination by  
the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

David E. Brown  
Registration No. 51,091

JAO:DEB/tbh

Date: September 2, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--